



United States Attorney
Southern District of New York

86 Chambers Street
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August 19, 2022

VIA ECF

Hon. Valerie Figueredo
United States Magistrate Judge
United States District Court
500 Pearl Street
New York, New York 10007

Application Granted



Valerie Figueredo, U.S.M.J.

DATED:

8-23-2022

Re: *Sanjel v. USCIS*, No. 19 Civ. 10347 (LTS) (VF)

Dear Judge Figueredo:

This Office represents the government in the above-referenced action in which the plaintiff seeks review of the denial of his Application to Register Permanent Residence or Adjust Status (Form I-485) filed with U.S. Citizenship and Immigration Services (“USCIS”). I write respectfully, on behalf of all parties, to jointly request that the Court continue to stay this matter for an additional six months.

As background, on July 6, 2022, the Court granted an on-consent request to stay this matter for forty-five days to allow the parties an opportunity to review the new policy announced on July 1, 2022, by USCIS addressing changes to eligibility for adjustment of status for temporary protected status (“TPS”) beneficiaries and the effect of travel and return to the United States using TPS-related advanced parole. See <https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20220701-TPSAndAOS.pdf>; ECF No. 41. Based on this policy change and since the filing of our last letter, the plaintiff and the Office of the Principal Legal Advisor (“OPLA”) of U.S. Immigration and Customs Enforcement (“ICE”) have jointly filed a motion to reopen and terminate removal proceedings before the Board of Immigration Appeals (“Board”). Given that the BIA prioritizes matters in which the individual is detained, and the plaintiff is not detained, it could take several months before the BIA issues a ruling. Should the BIA grant the joint motion, the plaintiff will then be able to seek an adjustment of status before USCIS.

Given this recent development, the parties respectfully request additional time to allow the above-described process to occur, which could potentially obviate the need for further litigation. Accordingly, the parties jointly request that the Court continue to stay this case for an additional six months. If acceptable to the Court, the parties will file a joint status update letter on February 21, 2023.

We thank the Court for its consideration of this request.

Respectfully submitted,

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